

the definition of "tax equivalent" included in this bill.

DEATH IN SERVICE

SEC. 2. This section amends subsection 832(a) of such Act which authorizes a refund of contributions to a participant's beneficiaries whenever there is a death in service and no claim for annuity is payable. The change is necessary to provide for the withholding of the tax equivalent, as defined above, from such refunds. Since participants will enjoy certain benefits . . . of the social security system under this amendment, it is appropriate that amounts equivalent to social security taxes, which are not refundable in the case of a death of an employee covered by social security, be deducted from such refunds.

LUMP-SUM PAYMENTS

SEC. 3. This section amends subsection 841(a) of such Act which concerns the refund of contributions and the computation of interest thereon. The subsection is amended to introduce the term "lump-sum credit" which is defined as the participant's total contributions to the Fund less the social security tax equivalent plus interest on the difference.

Subsection 841(a) will also be proposed for amendment in other legislation to be recommended by the Department of State to change the interest computation formula to correspond with the formula now authorized under the Civil Service retirement system. Since this change in the interest computation formula requires changes in more than this section and since it does not relate to the transfer of credit proposal, it is not included in this bill. The working of the proposed amendment has been carefully worked out so that it will not matter whether this bill or the other legislation sponsored by the Department of State passes first or whether one bill is deferred entirely.

TRANSFER OF CREDIT TO THE SOCIAL SECURITY SYSTEM

SEC. 4. This section adds proposed new section 883 to such Act which will authorize a transfer of credit from the Foreign Service Retirement and Disability System to the Social Security System for Government service performed by a former participant who is not entitled to an annuity under such Act at the time that he or any of his survivors becomes entitled (or would become entitled if his Government service were counted) to Social Security benefits. On the effective date of this section, credit will be given for all Federal Service performed subsequent to June 30, 1966. This will provide immediate Social Security survivor protection for employees on the rolls on the effective date with continuous service from June 30, 1966. Participants will require a total of five years' service from June 30, 1966 (counting service under the Civil Service, Foreign Service and Social Security systems) before becoming eligible for Social Security disability protection under this proposal.

SOCIAL SECURITY MINIMUM BENEFITS

SEC. 5. This section adds a new part "L" entitled "Social Security Minimum Benefits" to such Act and new section 884.

Section 884(a) authorizes minimum Social Security benefits for participants who retire on an immediate annuity after 1967. Participants who become eligible for a deferred annuity will not be eligible for this benefit because they will have the option to transfer their retirement credits to the Social Security System.

Section 884 (b) and (c) authorize Social Security minimum benefits to surviving spouses and children of participants who die in service after 1967 after completing five years of civilian service and to survivors of annuitants who retire after 1967. Social Security minimum benefits are authorized for survivors of deferred annuitants because

such survivors do not have an option to transfer retirement credits to the Social Security System. Also the Social Security minimum benefit in all cases is reduced by the amount of any Social Security benefit otherwise due. Social Security minimum benefits would not be authorized for any surviving spouse of a deceased annuitant who at the time of his retirement did not elect to provide the maximum survivor annuity.

Section 884(d) limits benefits payable under this section to a family maximum which is equivalent to the family maximum authorized under the Social Security System.

Section 884(e) defines the terms "minimum annuity base" and "family maximum" which are used to determine benefits under this section. The terms are defined by making reference to the formula and the table proposed in other legislation for inclusion in 5 U.S.C. 8331(18) which covers proposed similar benefits under the Civil Service Retirement system. The formula and table are intentionally not repeated in the Foreign Service Act in order that whenever the Civil Service benefit changes, the changes will be extended automatically to the Foreign Service.

COST ESTIMATE

The estimated level annual cost of the attached bill to authorize (1) a transfer of credit between the Foreign Service Retirement and Disability System and the Social Security System and (2) Social Security minimum benefits for Foreign Service annuitants, and for other purposes, is as follows:

Transfer of credit plan.....	\$180,000
Social Security minimum plan.....	100,000
Total.....	280,000

EDUCATIONAL TELEVISION

Mr. MAGNUSON. Mr. President, the President of the United States on Tuesday, February 28, submitted to Congress his recommendations for legislation regarding educational television.

I have received today a draft of the legislation involving this subject matter, entitled "Public Television Act of 1967," and ask unanimous consent that the text of the bill and a fact sheet setting forth the background of educational television, as well as a summary of the proposed legislation, be printed at this point in my remarks.

In general, the Public Television Act of 1967 has three purposes: First, to extend and improve the program of grants for construction of noncommercial educational radio broadcasting facilities; second, to establish and finance a nonprofit corporation to assist program operations in noncommercial educational television and radio; and, third, to authorize a study of instructional television and its relationship to educational television.

The bill is an amendment to the Communications Act of 1934 and I ask unanimous consent that the bill be appropriately referred.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1160) to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educa-

tional radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television and radio; and for other purposes, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Commerce.

JOHN FITZGERALD KENNEDY NATIONAL HISTORIC SITE

Mr. COOPER. Mr. President, the 34th President of the United States, John Fitzgerald Kennedy, was born in Brookline, Mass., on May 29, 1917.

President Kennedy lived in the house in which he was born for the first 3 years of his life, and this house, located at 83 Beals Street in Brookline, is now owned by members of the family of President Kennedy.

The family of President Kennedy has indicated that it is their intention to make a gift of this property to the Federal Government, if the necessary legislation can be enacted to insure that it is administered in accordance with the laws relating to historic sites.

In order to accomplish this purpose, for myself and Senator JACKSON, of Washington, I send to the desk a bill to establish the birthplace of President John Fitzgerald Kennedy as a national historic site.

The bill would authorize the Secretary of the Interior to acquire this property, together with any improvements thereon, and to maintain it and to allow access to it for the public.

As I have said, the family of the late President has indicated its intention to make a gift of the property to the Federal Government, and thus the Government would be relieved of the costs of acquisition.

I believe I should say that it is altogether fitting that the birthplace of John Fitzgerald Kennedy, who had such a keen sense of history, should be preserved for this Nation and for its future generations.

Today, the birthplaces of 18 of the men who have served as Presidents of the United States are held in national, State, local, or foundation ownership. This ownership has insured that these properties will be available permanently as valuable and significant historic sites.

The United States, through the National Park Service, has ownership and responsibility for the birthplaces of George Washington, Abraham Lincoln, Theodore Roosevelt, Herbert Hoover, and Franklin Delano Roosevelt.

With the desire and cooperation of the family of John Fitzgerald Kennedy, his birthplace in Brookline, Mass., can also be preserved in this most appropriate manner.

I thank my colleague, Senator JACKSON, the distinguished chairman of the Senate Committee on Interior and Insular Affairs, who shared service and friendship with John Fitzgerald Ken-

annually thereafter as of December 31, and proportionately for the period served during the year of separation, shall be returned to him."

Sec. 4. Immediately following section 882 of the Foreign Service Act of 1946, as amended, there is hereby added the following new part:

"PART K—TRANSFER OF CREDIT TO SOCIAL SECURITY SYSTEM

"Sec. 883. If a participant separates from the service or transfers to a position wherein he is no longer a participant after 1967, and neither he nor any of his survivors is entitled to an annuity or a deferred annuity under this Act on the basis of his service at the time he or any of his survivors becomes entitled (or would become entitled if his Government service were counted) to monthly benefits or a lump-sum death payment under title II of the Social Security Act on the basis of his wages and self-employment income, the participant's Government service performed after June 30, 1966, shall be taken into account for purposes of the Social Security Act and, if so used, shall not at any time thereafter be creditable for purposes of retirement under this or any other retirement system for Government employees. Upon request from the Secretary of Health, Education, and Welfare in connection with any determination under title II or title XVIII of the Social Security Act, the Secretary of State shall furnish a record of the former participant's service and basic salary received for such service performed under this Act after June 30, 1966, and shall certify whether such former participant or any of his survivors is entitled to an annuity under this Act on the basis of such service."

Sec. 5. Immediately following section 883 of the Foreign Service Act of 1946, as amended, there is hereby added the following new part:

"PART L—SOCIAL SECURITY MINIMUM BENEFITS

"Sec. 884. (a) If after 1967 a participant retires on an immediate annuity, such annuity shall be at least the smallest of—

"(1) the minimum annuity base as determined under subsection (e) of this section;

"(2) the sum necessary to increase to the minimum annuity base the product of 12 times any monthly benefits under title II of the Social Security Act for which he is eligible; or

"(3) 80 per centum of his high-five average salary computed under section 821.

Except for disability annuitants, this subsection will not apply until the month a participant or annuitant becomes sixty-five years of age.

"(b) If after 1967 a participant dies after completing at least five years of civilian service, or an annuitant dies whose annuity was based on service terminating after 1967, the annuity granted to the widow or dependent widower under section 832 or to the surviving wife or husband under section 821 shall be at least the smallest of:

"(1) 75 per centum of the minimum annuity base determined in accordance with subsection (e) of this section for any month before the month in which the survivor becomes 62 years of age, and 82½ per centum of such minimum annuity base for any month thereafter;

"(2) the sum necessary to increase to the applicable percentage of such minimum annuity base the product of 12 times any monthly benefit under title II of the Social Security Act for which the survivor is eligible;

"(3) 80 per centum of the deceased's high-five average salary computed under section 821.

This subsection does not apply to:

"(A) any surviving spouse under subsection 821(b) where the deceased annuitant

did not elect to provide a survivor annuity based on the full amount of his annuity; or

"(B) the annuity of any survivor for any month before the month in which the survivor becomes 62 years of age, unless for that month an annuity is payable under this title to at least one surviving child of the deceased who is under 18 years of age or is incapable of self-support because of physical or mental disability incurred before age 18.

"(c) If after 1967 a participant dies after completing at least 5 years of civilian service, or an annuitant dies whose annuity was based on service terminating after 1967, the annuity granted to each surviving child under this title shall be at least the smallest of:

"(1) 75 per centum of the minimum annuity base determined in accordance with subsection (e) of this section;

"(2) the sum necessary to increase to 75 per centum of such minimum annuity base the product of 12 times any monthly benefit under title II of the Social Security Act for which the child is eligible; or

"(3) 80 per centum of the deceased's high-five average salary computed under section 821.

"(d) The total of the annuity payable to all survivors of a participant or of an annuitant computed under subsection (b) and (c) of this section may not exceed the difference between—

"(1) the family maximum determined in accordance with subsection (e) of this section, minus

"(2) the product of 12 times the sum of all monthly benefits under title II of the Social Security Act for which all the survivors are eligible.

Whenever the total of such annuities exceeds such difference, the annuities shall be reduced proportionately except that this subsection shall not act to reduce the annuity of any survivor computed without regard to subsection (b) and (c) of this section.

"(e) (1) 'Minimum annuity base' is the greater of (a) the amount computed in accordance with the formula stated in 5 U.S.C. 8331(18) or (b) the amount appearing in column II of the table in 5 U.S.C. 8331(18) opposite the amounts in column I of said table which encompass the governing high-five average salary for the case.

"(2) 'Family maximum' is the amount appearing in column III of the table in 5 U.S.C. 8331(18) opposite the lowest amount in column II of such table which is at least equal to his minimum annuity base."

The letter, section-by-section analysis, and cost estimate presented by Mr. FULBRIGHT are as follows:

DEPARTMENT OF STATE,

Washington, February 20, 1967.

The VICE PRESIDENT,
U.S. Senate

DEAR MR. VICE PRESIDENT: Enclosed is a draft bill "To authorize (1) a transfer of credit between the Foreign Service Retirement and Disability System and the Social Security System and (2) Social Security minimum benefits for Foreign Service annuitants, and for other purposes."

This is a companion bill to the proposed Social Security Act Amendments of 1967. If enacted, this bill would further amend the Foreign Service Act of 1946, as amended, to implement the transfer of credit plan and the Social Security minimum plan which are designed to achieve a measure of coordination between the Social Security System and the Foreign Service and Civil Service retirement systems.

These amendments will generally improve survivor and disability protection for participants in the Foreign Service Retirement and Disability System with short service. They are not intended to create new categories of persons eligible to receive Foreign Service retirement benefits.

These amendments are designed to implement recommendations A.4. (a) and (b) of the Cabinet Committee on Federal Staff Retirement Systems which were endorsed by the President in his message to the Congress on March 7, 1966 and again recommended in his January 23, 1967 Message on Older Americans.

The Department has been informed by the Bureau of the Budget that there would be no objection to the presentation of this legislation and that its enactment would be in accord with the program of the President.

Sincerely yours,

(For the Secretary of State).

DOUGLAS MACARTHUR II,

Assistant Secretary for Congressional Relations

Enclosures: Draft bill, section-by-section analysis, cost estimate.

**SECTION-BY-SECTION ANALYSIS
INTRODUCTION**

This is a companion bill to the proposed Social Security Act Amendments of 1967. If enacted, this bill would further amend the Foreign Service Act of 1946, as amended, to implement the transfer of credit plan and the Social Security minimum plan which are designed to achieve a measure of coordination between the Social Security System and the Foreign Service and Civil Service retirement systems.

The transfer of credit plan would authorize a transfer of credit from the Foreign Service Retirement and Disability System to the Social Security System for Government service performed by a former participant who is either not eligible for a Foreign Service annuity or has waived his rights to such annuity at the time that he or any of his survivors becomes entitled to Social Security benefits. The Social Security minimum plan would increase Foreign Service annuities to the extent necessary to assure that such annuities together with any Social Security benefits which may be payable, at least equal Social Security benefits that would be payable if the Federal service had been covered by that Act, except that benefits are limited to 80 percent of the participant's high-five average salary.

These amendments will generally improve survivor and disability protection for participants with short service. They are not intended to create new categories of persons eligible to receive Foreign Service retirement benefits nor to guarantee payments at levels that would reflect Social Security payments with respect to persons not eligible for retirement benefits.

These amendments are designed to implement recommendations A.4. (a) and (b) of the Cabinet Committee on Federal Staff Retirement Systems which were endorsed by the President in his message to the Congress on March 7, 1966 and again mentioned briefly in his January 23, 1967, Message on Older Americans.

DEFINITIONS

SEC. 1. This section amends section 804 of the Foreign Service Act of 1946, as amended, to include a definition of tax equivalent. The proposed definition is identical to the definition being proposed for inclusion in Civil Service retirement legislation. The term refers to a sum equal to the social security taxes which would have been payable if the Government service in question had been included under the social security system. This sum is to be deducted from the refund (lump-sum payments) to former participants and their survivors in all cases where no annuity has been paid.

Section 804 will also be proposed for amendment in legislation to be recommended by the Department of State for other purposes. In that legislation section 804(i) will be reserved for the addition of